

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

10:00 A.M.

TUESDAY, October 3, 1989

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Pastor Blake Overlien of United Methodist Church in Jim Falls, Wisconsin.

Representative Ott led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus -- 98.

Absent - None.

Absent with leave --- None.

Vacancies - 19th Assembly District --- 1.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Joint Resolution 25** offered by Representative Krusick.

Assembly amendment 1 to **Assembly Bill 23** offered by Representative Zweck.

Assembly amendment 1 to **Assembly Bill 378** offered by Representative Wood.

Assembly amendment 1 to **Assembly Bill 387** offered by Representative Medinger.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Bill 569

An act relating to extended kindergarten and first grade programs in a 1st class city school district.

By Representative M. Coggs, cosponsored by Senator George.

To committee on Urban Education.

Assembly Bill 570

Relating to controlled substances, creating a rehabilitation board, providing penalties and restrictions, making appropriations and granting rule-making authority.

By Representatives Schneider, Roberts and Wood.

To Joint Survey Committee on Retirement Systems.

Assembly Bill 571

Relating to repealing prohibitions against performance of certain abortions.

By Representatives Travis, Clarenbach, Young, Notestein, M. Coggs, Moore, Boyle, Black, Fergus, Loftus and Plache, cosponsored by Senators Chvala, Strohl, Feingold and Ulichny.

To committee on Children and Human Services.

Assembly Bill 572

Relating to providing grants for year-round high school programs, granting rule-making authority and making an appropriation.

By Representatives Loftus, Young, Huber, Rohan, Notestein, Robson, Hamilton, Roberts, Bock, Schneiders, Carpenter and Rosenzweig, cosponsored by Senator Czarnecki.

To committee on Education.

Assembly Bill 573

Relating to allowing town boards to prohibit, by ordinance, certain criminal conduct that is the same as or similar to certain statutorily prohibited conduct.

By Representatives Foti, Holperin, Radtke, Tregoning, Schmidt, Zien, Thompson, Huelsman, Turba, Goetsch, Musser, Zweck and Lorge, cosponsored by Senators Roshell, Buettner, Andrea and Farrow.

To committee on Urban and Local Affairs.

Assembly Bill 574

Relating to nonpossessory mechanic's liens.

By Representatives Vanderperren, Williams, Schultz, Boyle, Rohan and Foti, cosponsored by Senators Feingold, Roshell, Jauch and Kreul.

To committee on Commerce and Consumer Affairs.

Assembly Bill 575

Relating to garnishment of depository accounts.

By Representatives Rutkowski and Schmidt, cosponsored by Senators Adelman and Chvala, by request of Judicial Council.

To committee on Judiciary.

Assembly Bill 576

Relating to requiring identification of interior firewalls by exterior signs.

By Representatives Ladwig, Porter, Lehman, Goetsch, Lepak, Musser, Zweck, Tregoning and Zien, cosponsored by Senator Farrow.

To committee on Labor.

Assembly Bill 577

Relating to campaign financing, allowance of a credit against individual income taxes for certain political contributions and making appropriations.

By Representatives Lewis, Nelsen, Deininger, Ladwig, Turba, Zeuske, Huelsman, Underheim, Goetsch, Duff, Welch, Klusman and Zien, cosponsored by Senators Cowles, Adelman and Lorman.

To committee on Elections and Constitutional Law.

Assembly Bill 578

Relating to the designation of tourism regions by the department of development.

By Representatives Brancel, Carpenter, Lorge, Ott, Grobschmidt, Lahn, Klusman, Zien, Tregoning and Zeuske, cosponsored by Senators Leca and Farrow.

To committee on Tourism, Recreation and Government Operations.

Assembly Bill 579

Relating to inquiries about communicable diseases of emergency or accident victims.

By Representatives Brancel, Lehman, Lorge, Turba, Schneiders, Lahn, Vergeront, Goetsch, Welch, Holschbach, Musser, Schmidt, Tregoning, Vanderperren and Zien, cosponsored by Senators Stitt, Buettner and Farrow.

To committee on Health.

Assembly Bill 580

Relating to requiring interest to be paid on security deposits for information signs.

By Representatives Brancel, Goetsch, Boyle, Schneiders, Radtke, Schultz and Volk.

To committee on Commerce and Consumer Affairs.

Assembly Bill 581

Relating to reducing state permit fees for certain establishments.

By Representative Lorge.

To committee on Health.

Assembly Bill 506

Relating to providing remedial reading services to pupils.

Passage: Ayes: (12) Noes: (4)

To committee on Rules.

Assembly Bill 513

Relating to requiring instruction in public schools about Lyme disease.

Adoption of assembly substitute amendment 1:

Ayes: (16) Noes: (0)

Passage: Ayes: (12) Noes: (4)

To committee on Rules.

CALVIN POTTER

Chairperson

The committee on Health reports and recommends:

Assembly Bill 229

Relating to licensure of hospices, establishing rule-making authority, providing penalties and making an appropriation.

Adoption of assembly amendment 1 to assembly substitute amendment 2:

Ayes: (11) Noes: (0)

Adoption of assembly substitute amendment 2:

Ayes: (10) Noes: (1)

Passage: Ayes: (6) Noes: (5)

To Joint Committee on Finance.

THOMAS BARRETT

Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 33

Relating to restitution in civil actions involving forfeitures.

Adoption of assembly substitute amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

Assembly Bill 316

Relating to issuance of a civil judgment for unpaid restitution.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

Assembly Bill 337

Relating to issuance of occupational licenses by the department of transportation.

Adoption of assembly amendment 1:

Ayes: (11) Noes: (0)

Passage: Ayes: (10) Noes: (1)

To Joint Committee on Finance.

COMMITTEE REPORTS

The committee on Education reports and recommends:

Assembly Bill 361

Relating to use of videotaped statements of children at preliminary examinations.

Passage: Ayes: (10) Noes: (1)
To committee on Rules.

Assembly Bill 446

Relating to cash deposits for defendants charged with crimes.

Passage: Ayes: (11) Noes: (0)
To committee on Rules.

Assembly Bill 447

Relating to increasing the number of circuit court judges.

Passage: Ayes: (9) Noes: (2)
To Joint Committee on Finance.

Assembly Bill 454

Relating to tribal court proceedings and acts of tribal legislatures.

Passage: Ayes: (10) Noes: (1)
To committee on Rules.

Senate Bill 41

Relating to notice to potential claimants and recovery of claims against estates.

Concurrence: Ayes: (11) Noes: (0)
To committee on Rules.

Senate Bill 202

Relating to placing a partnership, association or corporation on probation after a criminal conviction.

Concurrence: Ayes: (11) Noes: (0)
To committee on Rules.

JAMES RUTKOWSKI
Chairperson

The committee on Labor reports and recommends:

Assembly Bill 464

Relating to a record of severely handicapped employees in the state classified service.

Adoption of assembly substitute amendment 1:
Ayes: (10) Noes: (0)

Passage: Ayes: (10) Noes: (0)
To committee on Rules.

Assembly Bill 508

Relating to regulation of door-to-door street trades, prosecution of street trade laws generally and enforcement of wage claims.

Passage: Ayes: (10) Noes: (0)
To committee on Rules.

VERNON HOLSCHBACH
Chairperson

The committee on Small Business, Employment and Training reports and recommends:

Assembly Bill 163

Relating to the sale of farm machinery and equipment manufactured in prisons and providing a penalty.

Passage: Ayes: (9) Noes: (0)
To committee on Rules.

ROBERT THOMPSON
Chairperson

The committee on Ways and Means reports and recommends:

Assembly Joint Resolution 48

Relating to a legislative council study of the exemption from the property tax of manufacturing machinery and equipment.

Adoption of assembly substitute amendment 1:
Ayes: (14) Noes: (0)

Adoption: Ayes: (12) Noes: (2)
To committee on Rules.

JOSEPH WINEKE
Chairperson

EXECUTIVE COMMUNICATIONS

Executive Order Number 67

Relating to a Special Session of the Legislature

I, Tommy G. Thompson, Governor of the State of Wisconsin, pursuant to Article IV, Section 11 and Article V, Section 4 of the Constitution of Wisconsin, do require the convening of a special session of the Legislature at the Capitol in Madison, beginning on Tuesday, October 10, 1989 at 10:00 A.M. solely to consider legislation regarding illicit drug use and alcohol abuse in the following subject areas:

1. Legislation relating to law enforcement and criminal justice initiatives.
2. Legislation relating to expansion of correctional facilities.
3. Legislation related to correctional programs targeted toward drug users.
4. Legislation related to various sanctions for drug-related abuses, including but not limited to restriction of driving privileges and confiscation of assets.
5. Legislation related to treatment of drug and alcohol users and prevention of drug and alcohol abuse.
6. Legislation related to expansion of media/education efforts and community involvement/assistance efforts.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-ninth day of September in the year one thousand nine hundred and eighty-nine.

TOMMY G. THOMPSON
Governor

By the Governor:

DOUGLAS La FOLLETTE
Secretary of State

COMMUNICATIONS

October 1, 1989

Honorable Donald J. Schneider
Honorable Thomas T. Melvin

Dear Chief Clerks:

The following rules have been published:

- Clearinghouse Rule 88-69 effective 10-1-89
- Clearinghouse Rule 88-190 effective 10-1-89
- Clearinghouse Rule 88-203 effective 10-1-89
- Clearinghouse Rule 88-208 effective 10-1-89
- Clearinghouse Rule 89-7 effective 10-1-89
- Clearinghouse Rule 89-21 effective 10-1-89
- Clearinghouse Rule 89-28 effective 10-1-89
- Clearinghouse Rule 89-34 effective 10-1-89
- Clearinghouse Rule 89-48 effective 10-1-89
- Clearinghouse Rule 89-59 effective 10-1-89

Sincerely,
GARY POULSON
Assistant Revisor

Speaker Loftus introduced newly elected Representative Frank Urban from the 99th Assembly District, who addressed the assembly from the rostrum.

SERGEANT-AT-ARMS' ANNOUNCEMENT

Robert Johnston announced that he has appointed Katie Monson as Assistant Sergeant-at-Arms replacing Lou Ann Kindschi who resigned.

Representatives Holperin and Rosenzweig escorted Katie Monson to the rostrum.

The oath of office was administered by Speaker Loftus.

Representative Gruszynski asked unanimous consent that the assembly stand recessed for two minutes. Granted.

The assembly stood recessed.

10:17 A.M.

RECESS

11:15 A.M.

The assembly reconvened.

CALENDAR OF TUESDAY, OCTOBER 3

Assembly Bill 112

Relating to pay and benefits to deputy sheriffs suspended or dismissed in populous counties.

The question was: Shall the vote by which Assembly Bill 112 was passed be reconsidered?

The roll was taken.

The result follows:

Ayes — Representatives Barrett, Brancel, Clarenbach, Deininger, Duff, Hamilton, Harsdorf, Hubler, Huelsman, Klusman, Lahn, Loucks, Nelsen, Ott, Porter, Potter, Prosser, Radtke, Rosenzweig, Schneiders, Schultz, Stower, Swoboda, Thompson, Tregoning, Turba, Urban, Vergeront, Walling, Wimmer and Wood — 31.

Noes — Representatives Antaramian, Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brandemuhl, Carpenter, Coggs, M., Coggs, S., Coleman, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Johnsrud, Krug, Krusick, Kunicki, Ladwig, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Medinger, Moore, Musser, Notestein, Ourada, Panzer, Plache, Roberts, Robson, Rohan, Rutkowski, Schmidt, Schneider, Seery, Travis, Underheim, Van Dreel, Van Gorden, Vanderperren, Volk, Welch, Williams, Wineke, Young, Zeuske, Zien, Zweck and Speaker Loftus — 67.

Absent or not voting — None.

Motion failed.

Senate Bill 65

Relating to the authority of a metropolitan sewerage district established by a 1st class city to recover capital costs and to expand its boundaries.

The question was: Shall the vote by which Senate Bill 65 was concurred in be reconsidered?

The roll was taken.

The result follows:

Ayes — Representatives Bolle, Brancel, Brandemuehl, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Harsdorf, Huelsman, Johnsrud, Klusman, Ladwig, Lahn, Lehman, Lepak, Lewis, Loucks, Musser, Nelsen, Ott, Ourada, Panzer, Porter, Prosser, Radtke, Rutkowski, Schneiders, Schultz, Tregoning, Turba, Underheim, Urban, Van Gorden, Vergeront, Walling, Welch, Wimmer, Wood, Zeuske and Zien — 42.

Noes -- Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krug, Krusick, Kunicki, Larson, Lautenschlager, Linton, Lorge, Medinger, Moore, Notestein, Plache, Potter, Roberts, Robson, Rohan, Rosenzweig, Schmidt, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Van Dreef, Vanderperren, Volk, Williams, Wineke, Young, Zweck and Speaker Loftus — 56.

Absent or not voting -- None.

Motion failed.

MOTIONS

Representative Welch asked unanimous consent to added as a coauthor of **Assembly Bill 525**. Granted.

Assembly Joint Resolution 31

Relating to proclaiming the week of November 5 to 11, 1989, as "Alzheimer's Disease Awareness Week".

The question was: Shall assembly substitute amendment 1 to **Assembly Joint Resolution 31** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 31** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 31** be immediately messaged to the senate. Granted.

Senate Joint Resolution 41

Relating to the 100th anniversary of the university of Wisconsin-Madison's college of agricultural and life sciences.

The question was: Shall **Senate Joint Resolution 41** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 41** be immediately messaged to the senate. Granted.

Assembly Bill 74

Relating to allowing municipalities to invest surplus debt service funds in the state's local government pooled-investment fund.

The question was: Shall **Assembly Bill 74** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 74** be given a third reading. Granted.

The question was: **Assembly Bill 74** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 74** be immediately messaged to the senate. Granted.

Assembly Bill 184

Relating to disbursement of maintenance, child support or family support payments by clerks of court.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 184** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 184** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 184** be adopted?

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 184** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 184** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 184** be given a third reading. Granted.

The question was: **Assembly Bill 184** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 184** be immediately messaged to the senate. Granted.

Assembly Bill 192

Relating to creating a method by which certain towns may change their status to a 4th class city.

Representative Hauke asked unanimous consent that **Assembly Bill 192** be made a special order of business at 10:01 A.M. on Tuesday, October 24. Granted.

Assembly Bill 295

Relating to exemption from civil liability for donation, sale or distribution of certain food.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 295** be adopted?

Motion carried.

Representative Bock in the chair.

The question was: Shall **Assembly Bill 295** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schultz, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Urban, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus -- 98.

Noes — None.

Absent or not voting — None.

Motion carried.

Speaker Loftus in the chair.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 295** be given a third reading. Granted.

The question was: **Assembly Bill 295** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 295** be immediately messaged to the senate. Granted.

Assembly Bill 457

An act relating to premiums for coverage under the health insurance risk sharing plan.

Representative Huelsman moved that **Assembly Bill 457** be referred to the Joint Committee on Finance.

The question was: Shall **Assembly Bill 457** be referred to the Joint Committee on Finance?

The roll was taken.

The result follows:

Ayes — Representatives Brancel, Brandemuehl, Coleman, Deininger, Duff, Foti, Gard, Goetsch, Harsdorf, Hinkfuss, Huelsman, Klusman, Ladwig, Lahn, Lehman, Lepak, Lewis, Lorge, Loucks, Musser, Nelsen, Ott, Ourada, Panzer, Prosser, Radtke, Rosenzweig, Schmidt, Schneiders, Schultz, Tregoning, Turba, Underheim, Urban, Van Gorden, Vanderperren, Vergeront, Walling, Welch, Wimmer, Zeuske, Zien and Zweck — 43.

Noes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Hubler, Johnsrud, Krug, Krusick, Kunicki, Larson, Lautenschlager, Linton, Medinger, Moore, Notestein, Plache, Porter, Potter, Roberts, Robson, Rohan, Rutkowski, Schneider, Seery, Stower, Swoboda, Thompson, Travis, Van Dreel, Volk, Williams, Wineke, Wood, Young and Speaker Loftus -- 55.

Absent or not voting — None.

Motion failed.

The question was: Shall **Assembly Bill 457** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 457** be given a third reading.

Representative Radtke objected.

Assembly Bill 471

Relating to the authority of the department of industry, labor and human relations to establish a different minimum wage based on length of employment.

Representative Hauke asked unanimous consent that **Assembly Bill 471** be rereferred to the committee on Rules. Granted.

Representative Radtke asked unanimous consent to be made a coauthor of **Assembly Bill 429** and **Assembly Bill 564**. Granted.

JOURNAL OF THE ASSEMBLY [October 3, 1989]

Representative Hauke asked unanimous consent that the assembly adjourn in honor of Kid's Play Daycare Center. Granted.

Representative Goetsch asked unanimous consent that the assembly adjourn in honor of Lee Schmitt, who has been recognized as 1989 Teacher of the Year in Beaver Dam. Granted.

Representative Vanderperren asked unanimous consent that the assembly adjourn in honor of the Pulaski News, the only student produced school/community newspaper in the nation, which is celebrating its fiftieth anniversary. Granted.

Representative Hinkfuss asked unanimous consent that the assembly adjourn in honor of the Green Bay Packers. Granted.

Representative Krug asked unanimous consent that the assembly adjourn in memory of David Little, husband of Sharon Little of her staff, who died last Friday. Granted.

Representative Van Dreele asked unanimous consent that the assembly adjourn in honor of the birth of her granddaughter, Ema Marie. Granted.

Representative Klusman asked unanimous consent that the assembly adjourn in honor of the National 4-H Dairy Conference being held in Madison this week. Granted.

Representative Barrett asked unanimous consent that the assembly adjourn in honor of his newborn niece, Molly Flood, and his mother Gertrude Barrett, who is celebrating her 68th birthday today. Granted.

Representative Wimmer asked unanimous consent that the assembly adjourn in honor of the birth of his first grandchild, Sarah Elizabeth Gray. Granted.

Representative Panzer asked unanimous consent that the assembly adjourn in honor of the forty-third birthday of former Representative John Merkt. Granted.

VISITORS

During today's session, the following visitors honored the assembly by their presence and were welcomed by the presiding officer and the members:

Mayor Kevin Crawford from Manitowoc, guest of Representative Holschbach.

City Manager Steve Nenonen from Two Rivers, guest of Representative Bolle.

Representative Hauke moved that the assembly stand adjourned until 9:30 A.M. on Thursday, October 5.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:15 P.M.